

Court of Appeals, State of Michigan

ORDER

PEOPLE OF MI V STEVEN MICHAEL WACLAWSKI

Docket No. 287146

LC No. 2006-005398-FC

Karen M. Fort Hood
Presiding Judge

David H. Sawyer

Pat M. Donofrio
Judges

This matter comes before the Court on the attorney general's motion to seal the three photographic exhibits admitted into evidence in the underlying trial pursuant to MCR 8.119(F)(1)(a). This Court requested the exhibits on October 8, 2009 as part of the record under consideration. The exhibits have been provided and this motion to seal that small portion of the record filed.

This Court, having reviewed the exhibits and motion to seal the photographic record, finds:

The attorney general has demonstrated good cause to seal the photographic exhibits. MCR 8.119(F)(1)(b). The photographic exhibits are graphic and demonstrate prohibited sexual activity with a minor. Display of the photographic exhibits can only result in further victimization of the minor and the public.

The photographic exhibits are pornographic and no legitimate public purpose can be identified to allow the exhibits to remain as a part of the public record. MCR 8.119(F)(2)(b).

There is no less restrictive means to protect the privacy of the minor victim and protect the public from the possession of the prohibited material. MCR 8.119(F)(1)(c)

Therefore, it is ordered that the photographic exhibits that constitute a part of this record be and hereby are sealed.¹ The sealed record will be returned to the attorney general at oral argument on November 10, 2009.

¹ A copy of this order will be forwarded to the clerk of the Supreme Court and the State Court Administrative Office pursuant to MCR 8.119(F)(7).



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

OCT 21 2009
Date

Sandra Schultz Mengel
Chief Clerk